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Seventy-first session
Agenda items 32 and 37

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Security Council
Seventy-second year

Letter dated 15 February 2017 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

In accordance with instructions received from my Government, I have the honour to transmit herewith the statement of the Ministry of Foreign Affairs of the Republic of Azerbaijan dated 14 February 2017 regarding the illegal "referendum" in the occupied territories of the Republic of Azerbaijan (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 32 and 37, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

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Annex to the letter dated 15 February 2017 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs of the Republic of Azerbaijan on illegal "referendum" in the occupied territories of Azerbaijan

14 February 2017

According to the press reports, on 20 February 2017, Armenia plans to conduct a so-called "referendum on constitutional changes" in the puppet illegal regime it has established in the temporarily occupied territories of Azerbaijan.

The Ministry of Foreign Affairs of the Republic of Azerbaijan reiterates that the illegal regime established by Armenia in the temporarily occupied territories of Azerbaijan is ultimately nothing other than the product of aggression and occupation. It is under Armenia's direction and control and survives by virtue of its military, political, financial and other support, as was confirmed by the European Court of Human Rights in its judgment of 16 June 2015 on the case of *Chiragov and others v. Armenia*.

This provocative step, as well as Armenia's attempts to change the name of the integral Nagorno-Karabakh region of Azerbaijan, is yet another clear manifestation that Armenia is not genuinely interested in seeking a political settlement of the armed conflict. Instead, Armenia pursues the path of escalation, undertakes consistent measures to consolidate the results of its occupation policy and to maintain the unacceptable and unsustainable status quo, undermines efforts for the peaceful resolution of the conflict through substantive talks, illegally changes the demographic, cultural and physical character of the occupied territories and engages in economic and other activities, including the transfer of the Armenian population into these territories, with the ultimate goal of imposing a fait accompli situation. By such actions, Armenia also undermines and puts in jeopardy regional and international peace and security.

The principled basis for the settlement of the conflict is laid down in Security Council resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993) and General Assembly resolution 62/243 of 2008, which condemn the use of force against Azerbaijan and occupation of its territories and reaffirm the sovereignty and territorial integrity of Azerbaijan and the inviolability of its internationally recognized borders. In those resolutions, the Security Council reaffirmed that the Nagorno-Karabakh region is an inalienable part of Azerbaijan and demanded the immediate, complete and unconditional withdrawal of the occupying forces from all occupied territories of Azerbaijan.

The illegal "referendum" constitutes a clear violation of the Constitution of the Republic of Azerbaijan and the norms and principles of international law, and therefore has no legal effect whatsoever. This so-called "referendum" is also being conducted in the seized lands under the situation created through the use of force and threat of force against the territorial integrity of Azerbaijan by Armenia and

accompanied by the notorious practice of ethnic cleansing and other flagrant violations of the norms and principles of international law.

We call upon the international community to reject this fabricated illegal "referendum" exercise and to exert political and diplomatic pressure on Armenia to drop its futile attempts to mislead its own people and the wider international community, cease its policy of occupation and annexation, engage constructively in the conflict settlement process and comply with its international obligations.